

REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 6, 9 - 12, 20, 23, 24, 26 and 27 are presently pending, with claims 2 - 5, 7 - 8, 13 - 19, 21 - 22 and 25 having previously been canceled. Claims 9, 12, 20, 24 and 27 are presently canceled without prejudice of disclaimer. New claim 28 is added. No new matter is added.

Claims 1, 6, and 23 are amended without the introduction of new matter. Support for the amendments may be found, for example, with reference to Applicants' published specification at pages 5-6, paragraphs [0071] – [0072], and with reference to Applicants' Figures 1A, 1B, 2, 3, and 7.

Claims 1, 6, 10 - 11, 23, 26 and 28 remain pending with the entry of this Amendment.

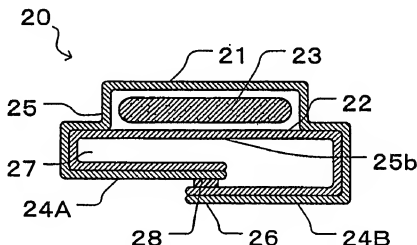
II. Rejections under 35 U.S.C. § 103

Claims 1, 6, 9, 12, 20, 23, 24, 26 and 27 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over International Patent Publication No. WO 02/094148 to Mizutani et al. (“Mizutani”)¹. Claims 10 and 11 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Mizutani in view of International Application Publication No. WO 99/26573, to Osborn, III (“Osborn”). As claims 9, 12, 20, 24, and 27 are canceled without prejudice or disclaimer, the rejection of claims 9, 12, 20, 24, and 27 are moot. Applicants amend claims 1, 6 and 23 to further

¹ The Examiner notes that U.S. patent Publication No. 2004/0158222 is an English language equivalent to Mizutani.

define the nature of their invention, and respectfully traverse the rejection of claims 1, 6, 9, 12, 20, 23, 24, 26 and 27 under 35 U.S.C. § 103 (a).

Mizutani discloses an interlabial pad having a mini-sheet piece attached to a side opposite to a body side of the interlabial pad (see, e.g., abstract of Mizutani). In applying this reference to the above-noted rejections, the Examiner makes reference to an embodiment depicted in Mizutani's Figure 18:

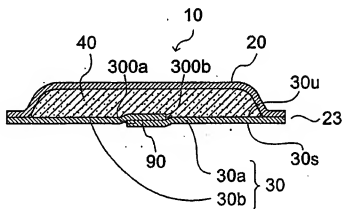


With reference to Applicants independent claim 1, the Examiner finds that Mizutani discloses an interlabial pad 20 including a first sheet 21 configured for contacting a body, an absorbent body 23, and a second sheet 22 forming a back face side sheet positioned away from the body. The Examiner suggests that flap portions 24A and 24B of Mizutani's interlabial pad 20 read on Applicants' claimed plurality of sheet pieces. In Response to the arguments set forth in Applicants' February 28, 2008 Response, the Examiner states that the elements 24A and 24B of

Mizutani are extensions of the backsheet 22, and since they have a longitudinal seam 28, Mizutani discloses the Applicants' longitudinal seam 90.

Applicants respectfully submit that the amendments to claim 1 overcome this rejection. Amended claim 1 now requires that the back face side sheet having a longitudinally-extending seam 90 (see, e.g., Applicants' Figure 1B below) contacts the absorbent body 40, stating that, "...the second sheet contacts the second face side of the absorbent body along the region of the second sheet having the longitudinal seam part."

Fig. 1B



The limitation that Applicants' seam 90 extends along a central line portion of the second sheet contacting the absorbent body is in sharp contrast to the back side sheet 22 of Mizutani, as shown in Figure 18, above, which does not have a seam extending along the second sheet in a portion contacting the absorbent body. The seam 28 of Mizutani is formed by overlapping portions of flap portions 24A and 24B in a region where the sheet pieces do not contact the absorbent body.

Thus, even if portions 24A and 24B are considered to be pieces of the backsheet 22, the longitudinal seam of the backsheet does not contact the absorbent body.

Applicants further amend claim 1 to require that the seam part of the second sheet comprises at least one of the following features:

- i) an outer surface of the seam part is made uneven through an emboss process;
- ii) an outer surface of the seam part is made uneven by adhering a hydrophilic nonwoven fabric to the outer surface;
- iii) the seam part is formed by a folded back portion of the back side face sheet, such that the back side face sheet overlaps itself;
- iv) the seam part is formed by partial, mutual overlapping of small sheet pieces of the back side face sheet, wherein perforation-like slits are formed in the overlapping small sheet; or
- v) the seam part is formed by partial, mutual overlapping of small sheet pieces of the back side face sheet, wherein the overlapping pieces are adhered together by an adhesive agent applied between the small sheet pieces, and wherein a part of the small sheet piece at least in a vicinity of an end portion of the small sheet piece is left free of any adhesive agent.

Applicants submit that Mizutani does not teach or suggest any of the above features of the seam part. Specifically, nowhere in Mizutani is it taught or suggested that the outer surface of the seam part is uneven (e.g., features (i) or (ii), above). Moreover, Mizutani does not teach that the seam part may be formed by folding back a portion of the back side face sheet (feature (iii)), but only teaches adhering two sheet pieces together. With respect to feature (iv), Mizutani does not teach or suggest perforation-like slits formed in the region of overlapping sheet pieces, and, with respect to feature (v), while Mizutani discloses that overlapping portion 26 may be adhered

together, Mizutani does not teach or suggest that the end portion of the small sheet piece is left free of any adhesive agent.

Applicants further submit that the overlapping flap portions 24A and 24B forming seam 28 of Mizutani are adhered together in order to form a finger insertion opening 29a (see paragraph [0164] of the published specification of Mizutani). This is in stark contrast to Applicants' longitudinal seam 90, which is provided to allow the back side face sheet to dissociate into small pieces upon flushing, and is entirely separate in location and function from the attached mini-sheet piece.

Osborn discloses an individual packaging for assisting in the hygienic insertion of an interlabial pad (see, e.g., abstract of Osborn). However, Applicants respectfully submit that, like Mizutani, Osborn also fails to disclose or suggest the above-described elements of Applicants' amended independent claim 1.

Accordingly, Applicants respectfully submit that the above-described elements of Applicants' amended independent claim 1 are neither disclosed nor suggested by the interlabial pad of Mizutani, with or without the addition of Osborn, and that amended independent claim 1 therefore stands in condition for allowance. As claims 6, 10 - 11, 23, 26 and 28 each depend, either directly or indirectly from allowable independent claim 1, Applicants further submit that dependent claims 6, 10 - 11, 23, 26 and 28 are also allowable for at least this reason.

Therefore, Applicants respectfully request that the rejections of claims 1, 6, 9 - 12, 20, 23, 24, 26 and 27 under 35 U.S.C. § 103 (a) be withdrawn.

CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: October 28, 2008

Respectfully submitted,

By  44523

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